

**Patexia**

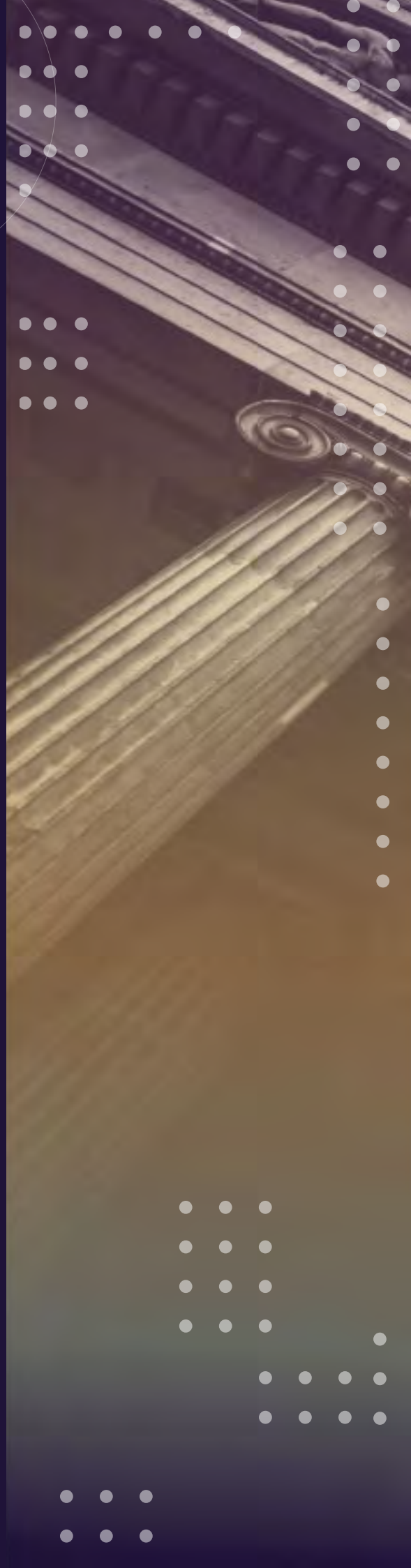
February 2022

# Patent Litigation Intelligence Report

July 2017 / June 2021

A comprehensive report on the top 100  
best performing and most active  
patent litigation attorneys and law firms.

Prepared by  
**Patexia Data Science Team**



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# Introduction

This is our second annual report, covering *Patent Litigation* in district courts and the first report out of seven or possibly eight reports we are publishing in 2022. Patent litigation has been rising again in recent years after a slowdown in 2017, 2018 and 2019. The volume is still below its peak in 2015 and 2016, but we are seeing new players who are quite active and have helped move the activity higher than prior years.

The landscape is also changing rapidly as some venues such as Western District of Texas (Waco) is becoming extremely popular. That combined with the corporations moving their headquarters to Texas and the startup community shaping in cities such as Austin in Texas has motivated big law firms to consider opening a new office in Austin or elsewhere in Texas. These changes have created lots of lateral opportunities for attorneys in Texas, especially in Dallas and Austin. Our recruiting division recorded many departures from Texas native law firms to international law firms with headquarters in California or New York. In our second annual report we have also dedicated a brand new section to cover lateral moves related to patent litigation over the last year.

As we enter the sixth year of publishing *Patexia Intelligence Reports*, our annual Intelligence Reports have become widely popular among corporations and law firms. A quick Google search for “[patexia rankings](#)” returns several thousand pages published by law firms online as they use our reports and data-driven rankings for marketing and business development in different areas of Intellectual Property (IP).

Due to popular demand, we expanded our Insight Report collection further to cover a total of seven areas in IP including [ITC Section 337](#), [ANDA/Hatch-Waxman Litigation](#), [Inter-Partes Review](#), [Patent Prosecution](#), [CAFC \(US Court of Appeal for the Federal Circuit\)](#), [Trademark Intelligence](#), and the Patent Litigation Report that you are now holding (digitally)! We are also considering to publish a brand new report in 2022, covering trade secret litigation.

In order to plan and release all seven reports in 2021 and continue to do so in the future, we had to double the size of our Insight team from previous years. This expansion was not possible without your continued support. The additional resources will ensure that gathering, cleaning, and analysis of the data is handled more smoothly and accurately. For example, our engineering and data science team are now able to better track lateral moves of attorneys from one law firm to another. We automatically crunch tens of thousands of PDF documents for each of these reports and parse the sentences to extract relevant data. Despite all of this automation, we still need the help of humans to manually review thousands of court documents to verify or, in some cases, find the missing information. All of this will help us polish the reports in an effort to make the data more relevant and useful to the IP community.

A few words about this second annual report: Patent litigation and, for the most part, licensing negotiations often start from the District Court. While companies may use different strategies and sometimes utilize IPR in pre-lit-

igation or ITC Section 337 to get an injunction, US district courts are still the most popular venue for patent litigation. Every year there are 3,000 to 4,000 new patent cases filed across the country in various district courts. In 2020 we saw a sharp increase compared to the previous year (~3,872 vs. 3,353, for an increase of 15.5%). The pandemic and the remote hearings did not affect the filing activity in the last couple of years.

Our 2022 *Patent Litigation Intelligence Report* covers the period from July 1, 2017, through June 30, 2021, and a total of 14,506 district court patent cases. We used publicly available documents obtained from PACER to identify the parties and their representatives for each case. This includes law firms as well as attorneys representing each of the parties involved. Furthermore, for 12,116 cases that had been terminated during this time period, we calculated the success rate for each of the

parties or their representatives by using the final status of the case as published by PACER or manual review of the judgment. These numerical analyses helped us measure the performance of all stakeholders. The complete explanation of the methodology we used for this report is covered in the first Chapter.

This refined methodology for performance measurement was not possible without the valuable feedback we received from our dear attorneys and IP community, who gave us their time and helped us clarify some of the doubts we had for performance measurement of special cases that were not obvious to us.

We hope our corporate partners find this report as useful as our other Intelligence reports when making critical decisions about their legal partners, and we hope our law firm partners can leverage it as a valuable resource for new business development and marketing.



A handwritten signature in cursive script that reads "Pedram Sameni".

**Pedram Sameni**  
Founder and CEO

# What's in This Report?

The report content has been divided into the following sections:

- 1. Ranking Methodology:** We explain our performance model and how we calculated the Activity, Success, and Performance scores and rankings for plaintiffs, defendants, their representatives, and Judges.
- 2. Patent Litigation Statistics:** We provide a 360-degree overview of District Court Patent Litigation from 10,000 feet. We cover high-level statistics, including all parties, judges, and cases, from July 1, 2017 through June 30, 2021.
- 3. Plaintiffs and Defendants:** We identify the most active and the best-performing Plaintiffs and Defendants over the period of our study.
- 4. Law Firms:** We analyze the performance and activity of law firms, comparing and providing rankings for the top firms representing Plaintiffs and Defendants.

**5. Litigators:** We review the performance and activity of patent litigators, representing Plaintiffs and Defendants, comparing and providing rankings for top attorneys on each side.

**6. Local Counsel:** We review and identify the most active local counsel, representing Plaintiffs and Defendants, comparing and providing rankings for top attorneys on each side.

**7. Judges:** We look at the judges assigned to all patent cases for the period of this study and calculate their performance based on the outcome of their judgments.

As per our tradition for this and our other intelligence reports, and to have a meaningful comparison, as well as compensating for the time required for each case from filing to completion (e.g., 6 to 36+ months), we covered a period of four years, July 1, 2017, through June 30, 2021. Appendix A lists all sources of data used for this report.

**Disclaimer:** The data for this report was obtained from public sources including PACER, USPTO, and PTAB, as well as self-reported by attorneys on the Patexia website. Patexia has gone to great lengths to provide valid and accurate analysis based on this data. However, Patexia does not guarantee 100 percent accuracy nor take any responsibility for possible losses caused by the use of any information provided in this report.



# Appendix



# Appendix A: Sources of Data

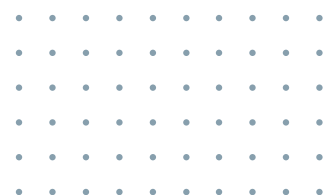
Data is the foundation and building block of any data-driven analysis. Therefore, collecting that data from quality sources, and taking extra care in maintaining the data's integrity is something that we at Patexia take very seriously. We have collected our raw data from many sources including:

- Public Access to Court Electronic Records (PACER)
- Patent Trial and Appeal Board (PTAB) Database
- United States Patent and Trademark (USPTO) Patent Database
- US Patent Classification Database
- Self-reported by attorneys named on the case

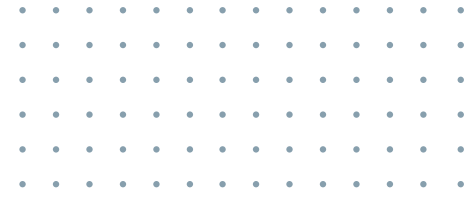
For this release, we limited the date range of our analysis to the last three years (July 1, 2017 through June 30, 2021).

While the possibility of errors such as typos in legal documents are inevitable, cleaning and organizing the attorney data is even more challenging as attorneys change firms, may not update their information and often use different variations of their names.

Our engineering team has implemented sophisticated machine learning and natural language processing techniques to find the correct matches for various occurrences of the same name. To further minimize the errors, we not only review suspicious matches manually, but also host profile pages for more than 80,000 attorneys and agents who can directly review and add missing cases to our database.







# Appendix B: Stats for Plaintiffs and Defendants

See the attached Excel file for the stats related to the top 1,000 most active plaintiffs and defendants involved in one or more patent cases filed during the period of our study. The spreadsheet covers the following information for each of the companies:

- Company name with a link to Patexia page
- Overall Activity Rank
- Overall Performance Rank
- Defendant Activity Rank
- Defendant Performance Rank
- Plaintiff Activity Rank
- Plaintiff Performance Rank
- All Cases
- All Unique Patents
- Defendant Cases
- Defendant Unique Patents
- Plaintiff Cases
- Plaintiff Unique Cases
- Overall Activity Score
- Defendant Activity Score
- Plaintiff Activity Score
- Overall Success Score
- Defendant Success Score
- Plaintiff Success Score
- Overall Performance Score
- Defendant Performance Score
- Plaintiff Performance Score
- Top 3 Law Firms (Case Count)

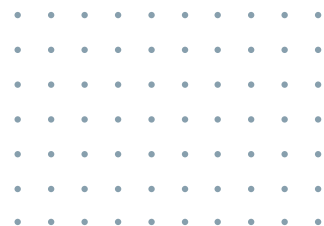




# Appendix C: Stats for Patent Litigation Firms

See the attached Excel file for the stats related to the top 1,000 most active law firms, involved in one or more patent cases. The list does not include firms that we identified as local counsel. The spreadsheet covers the following information for each of the law firms:

- Law Firm with a link to Patexia page
- Overall Activity Rank
- Overall Performance Rank
- Defendant Activity Rank
- Defendant Performance Rank
- Plaintiff Activity Rank
- Plaintiff Performance Rank
- All Cases
- All Unique Patents
- Defendant Cases
- Defendant Unique Patents
- Plaintiff Cases
- Plaintiff Unique Patents
- Overall Activity Score
- Defendant Activity Score
- Plaintiff Activity Score
- Overall Success Score
- Defendant Success Score
- Plaintiff Success Score
- Overall Performance Score
- Defendant Performance Score
- Plaintiff Performance Score
- Top 3 Clients (Case Count)
- Top 3 Clients (Case Count)





# Appendix D: Stats for Attorneys

See the attached Excel file for the stats related to the top 1,000 most active patent litigators. The spreadsheet covers the following information for each of the attorneys:

- Attorney name with a link to Patexia page
- Law Firm
- Overall Activity Rank
- Overall Performance Rank
- Defendant Activity Rank
- Defendant Performance Rank
- Plaintiff Activity Rank
- Plaintiff Performance Rank
- All Cases
- All Unique Patents
- Defendant Cases
- Defendant Unique Patents
- Plaintiff Cases
- Plaintiff Unique Patents
- Overall Activity Score
- Defendant Activity Score
- Plaintiff Activity Score
- Overall Success Score
- Defendant Success Score
- Plaintiff Success Score
- Overall Performance Score
- Defendant Performance Score
- Plaintiff Performance Score
- Top 3 Clients (Case Count)

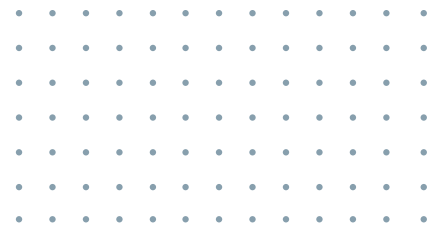




# Appendix E: Stats for Local Counsel

See the attached Excel file for the stats related to the 491 patent litigation local counsel. The spreadsheet covers the following information for each of the attorneys:

- Local Counsel with link to Patexia Page
- Law Firm with link to Patexia Page
- City
- State
- Overall Activity Rank
- Defendant Activity Rank
- Plaintiff Activity Rank
- All Cases
- Defendant Cases
- Plaintiff Cases
- Top 3 Clients (Case Count)
- Top 3 Clients (Case Count)

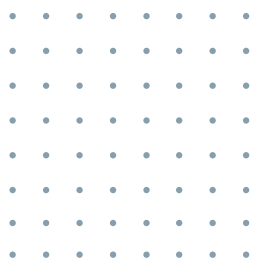


# Appendix F: Stats for District Court Judges



See the attached Excel file for the stats related to the 1,204 District Court judges. The spreadsheet covers the following information for each of the judges:

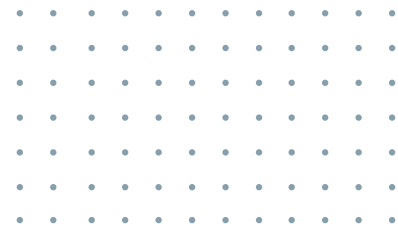
- Judge's name
- Patents (Unique)
- Case (Unique)
- Judge's score (Avg)



# Appendix G: Best Performing and Most Active Badges

As per our tradition, every year Patexia designs two categories of badges for Best Performing and Most Active Law Firms / Attorneys (Defendant, Plaintiff and overall). The badges are only provided to those firms and

attorneys who are ranked in the top 100 and choose to purchase the report ([Concierge Members](#) will automatically receive the badges if they are ranked among the top 100).



# Contact Us

Founded in 2010 to bring efficiency and transparency to intellectual property by leveraging the power of data, technology, and experts, Patexia is the largest network for IP professionals with over 100,000

IP attorney profiles. We offer IP services under four distinct arms: Patexia Expert, Patexia Crowd Search (crowdsourcing), Patexia Insights, and Patexia Recruiting. Contact us today to learn more.

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**Disclaimer:** The data for this report was obtained from public sources, including USPTO, PTAB, and PACER, as well as self-reported by attorneys on Patexia's website. Patexia has gone to great lengths to provide valid and accurate analysis based on this data. However, Patexia does not guarantee 100 percent accuracy, nor take any responsibility for possible losses caused by the use of information provided in this report.

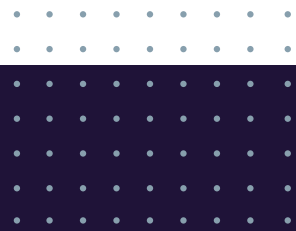
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**Thank you for your purchase of the 2022 Patent Litigation Intelligence Report.** It is your support that enables us to spend the time, money, and precious thousands of hours needed to compile an annual

report of this magnitude. We at Patexia sincerely hope this report brings value to your organization, and we welcome any thoughts or feedback you may have.



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